

AMENDED IN SENATE MAY 1, 2007
AMENDED IN SENATE APRIL 11, 2007

SENATE BILL

No. 202

Introduced by Senator Florez

February 7, 2007

An act to add Article 5 (commencing with Section 113500) to Chapter 11 of Part 6 of Division 104 of the Health and Safety Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 202, as amended, Florez. Agriculture: leafy green vegetable crop traceback.

Existing law provides that the Secretary of Food and Agriculture shall establish, by regulation, uniform standards for field crop producers, establish inspection districts within the state, and provide sampling, inspection, and certification ~~service~~ *services* for field crop products within the state, as specified. Existing law also states legislative findings and declarations that the people have a primary interest in the sanitary conditions under which food crops are grown and harvested for human consumption and in the health and related sanitary conditions under which the workers are employed in the growing and harvesting of food crops.

This bill would require growers, handlers, and processors of leafy green vegetables to employ a ~~coded~~ *Julian code dated* lot numbering system, ~~using Julian dating~~ or other scientifically validated systems, that allows for each piece of product they produce, handle, or process to be traced in the production, ~~and distribution, and marketing~~ chain to or from the field in which it was grown and the facility in which it was processed, as specified. This bill would also require growers, handlers,

and processors of leafy green vegetables to establish written procedures employing their ~~coded~~ *Julian code dated* lot numbering system or other scientifically validated systems to respond to a ~~department~~ recall affecting leafy green vegetables and to initiate a recall of leafy green vegetables grown, handled, or processed in their field or facility. This bill would require growers, handlers, and processors of leafy green vegetables to identify recall coordination teams within their operations that shall ensure that product can be identified and removed from the production; *and distribution; and marketing* chain rapidly and to conduct a periodic mock recall no less than every 2 years. This bill would also authorize the State Department of Public Health to adopt regulations to carry out these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 113500) is
2 added to Chapter 11 of Part 6 of Division 104 of the Health and
3 Safety Code, to read:

4
5 Article 5. Leafy Green Vegetable Crop Traceback
6

7 113500. (a) Growers, handlers, and processors of leafy green
8 vegetables shall employ a ~~coded~~ *Julian code dated* lot numbering
9 system, ~~using Julian dating~~ or other scientifically validated systems,
10 that allows for each piece of product they produce, handle, or
11 process to be traced backwards and forwards in the production;
12 *and distribution; and marketing* chain that ends with the consumer,
13 to or from the field in which it was grown and the facility in which
14 it was processed.

15 (b) Growers, handlers, and processors of leafy green vegetables
16 shall maintain documentation of the Julian code dated lot
17 numbering system or other scientifically validated systems
18 employed pursuant to subdivision (a), as required by regulations
19 adopted by the State Department of Public Health, in a manner
20 that allows for inspection by county health inspectors and
21 agricultural commissioners for a specified period of time, not less
22 than three years, as determined by the department.

1 (c) Growers, handlers, and processors of leafy green vegetables
2 shall establish written procedures employing their Julian code
3 dated lot numbering system or other scientifically validated systems
4 to respond to a ~~department~~ recall affecting leafy green vegetables
5 and to initiate a recall of leafy green vegetables grown, handled,
6 or processed in their field or facility.

7 (d) Growers, handlers, and processors shall be prepared to
8 communicate information concerning the Julian code dated lot
9 numbering system or other scientifically validated systems
10 employed by their field or facility to other growers, handlers, and
11 processors with whom they regularly conduct business.

12 113502. Every grower, handler, and processor of leafy green
13 vegetables shall identify within its operation a recall coordination
14 team that shall ensure ~~that any~~ product can be identified and
15 removed from the production; ~~and distribution, and marketing~~
16 chain ending with the consumer, rapidly. The tasks performed by
17 the teams shall include, but are not limited to, all of the following:

18 (a) Testing the overall effectiveness of the grower's, handler's,
19 or processor's procedures for responding to a ~~department~~ recall
20 affecting leafy green vegetables and for initiating a recall of leafy
21 green vegetables grown, handled, or processed in their field or
22 facility.

23 (b) Evaluating the reliability and accuracy of the grower's,
24 handler's, or producer's Julian code dated lot numbering system
25 or other scientifically validated systems and the documentation
26 thereof.

27 (c) Evaluating the time it takes the grower, handler, or processor
28 to a ~~State Department of Public Health~~ *respond to a* recall affecting
29 leafy green vegetables.

30 (d) Evaluating the flow of information to and from other
31 growers, handlers, and processors with whom business is regularly
32 conducted concerning the Julian code dated lot numbering system
33 or other scientifically validated systems employed by those
34 growers, handlers, shippers, and processors.

35 (e) Identifying opportunities for improving the grower's,
36 handler's, or producer's Julian code dated lot numbering system
37 or other scientifically validated systems.

38 113504. Every grower, handler, and processor of leafy green
39 vegetables shall conduct a periodic mock recall, no less than every
40 two years, at the beginning of the leafy green vegetable growing

1 season to determine the efficacy of their procedures for responding
2 to a department recall affecting leafy green vegetables and for
3 initiating a recall of leafy green vegetables grown, handled, or
4 processed in their fields or facilities.

5 113509. The State Department of Public Health shall adopt
6 ~~regulations to carry out the provisions of this article.~~ *regulations*
7 *establishing minimum requirements necessary for an effective*
8 *traceback system that will carry out the provisions of this article.*
9 *The regulations shall provide for maximum flexibility to*
10 *accommodate advances in tracking products within the production*
11 *and distribution chains.*